

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BILLY TYLER,)	
)	8:04cv94
Plaintiff,)	
)	MEMORANDUM AND ORDER
vs.)	
)	
STEPHEN J. CERVENY,)	
)	
Defendant.)	

In my Memorandum and Order of April 24, 2006 (filing no. 107), I directed the plaintiff, Billy Tyler, to show cause why the above-entitled case should not be dismissed based on the principles expressed in Heck v. Humphrey, 512 U.S. 477 (1994). I warned the plaintiff that, in the absence of a timely and sufficient showing of cause, this case could be subject, without further notice, to dismissal without prejudice. The plaintiff's Response (filing no. 108), which includes a cryptic reference to the Three Stooges and the Eighth Circuit Court of Appeals, is not sufficient. Therefore, this case is dismissed without prejudice. Judgment will be entered accordingly.

SO ORDERED.

May 3, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge